IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 2125 of 2007

Dated 6th February, 2007

Between

Azizia College of Education, Adoni,
Rep. By its Correspondent & Secretary
Sri Mohammed Nazeer Khan

...Petitioner

and

The Secretary to Government of AP,
School Education Department, Secretariat,
Hyderabad, and ors.

...Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 2125 of 2007

ORDER:

The petitioner, a college imparting course in Education, has filed this Writ Petition seeking a direction by way of Writ of Mandamus to the first respondent for disposal of the appeal filed by it.

The Secretary, A.P. State Council for Higher Education vide proceedings dated 13-12-2006 in letter No.APSCHE/Sec/CETs/EdCET-2005/No.21, pointing out deviations and violation of the rules of admissions committed by the petitioner-college for the academic year 2005-2006, issued directions for deletion of some

candidates from the admissions register of the college and further directed to refund the fee paid by them and return original certificates. It is stated that aggrieved by the said proceedings, the petitioner has preferred appeal before the first respondent. It is the grievance of the petitioner that the first respondent-appellate authority is not disposing of the appeal.

As per the Rules of admission, the Secretary, A.P.State Council for Higher Education is the competent authority for approval of admissions made by the managements of the private colleges. Though the petitioner has filed appeal, but however, as per Section 21 of the A.P. State Council of Higher Education Act, 1988, revision is provided to the Government against the order passed by the first respondent. However, misquotation of law is no ground to reject the application of the petitioner. As much as the petitioner has already preferred appeal before the Government, I dispose of the Writ Petition, directing the first respondent-revisional authority to consider the appeal preferred by the petitioner on 8-1-2007 as revision petition under Section 21 of the A.P. State Council of Higher Education Act 1988 and dispose of the same in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, by issuing notice of hearing to the petitioner.

The Writ Petition is disposed of accordingly at the admission stage. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 06-02-2007
Note: Office to dispatch
Copies of this order by tomorrow.
(BO) Msnr.